

October 23, 2009

Clerks Office.

United States Bankruptcy Court

Southern District of New York

Delphi Corporation et al. Claims Processing

c/o Kurtzman Carson Consultants LLC,

2335 Alaska Avenue

El Segundo, California 90245

RE: Delphi Corporation , et al. 05-44481 (Claim #19284)

To: The Honorable Robert D. Drain, United States Bankruptcy Judge

I honorably request that the attached Claim #19284 for Pension, Benefit, and OPEB Claims in the amount of \$6189.12 not be Disallowed and Expunged. The reason provided to Disallow and Expunge this claim per the attached Notice of Objection to Claim was **Untimely Claims**. Claim #19284 was filed in a timely manner according to the rule prescribed in the Chapter 11 Case No. 05-44481 (RDD) Notice of Objection to Claim (cover page attached), since the record for Claim #19284 shows that it was received on 7/16/09. The objection of **Untimely Claims** is, therefore, inaccurate.

The basis for Claim #19284 is a forced sale of Delphi Corporation company stock owned within the Claimant, Deborah Chapman's, 401K Stock to Savings Purchase Program plan during the Delphi Corporation bankruptcy period. This forced sale resulted in an almost complete devaluation of the Delphi Corporation stock owned by the Claimant in this program. Since the continued investment and ownership of Delphi Corporation company stock was a requirement for employee participation in the Delphi Corporation 401k program, the Claimant requests that the full value of Claim #19284 be allowed.

I appreciate your attention to this matter.

Sincerely,



Deborah Chapman

52412 Belle Arbor

Shelby, Michigan 48316

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|-------------------------------------|---|-------------------------|
| -----X | | |
| In re | : | Chapter 11 |
| | : | |
| DELPHI CORPORATION, <u>et al.</u> , | : | Case No. 05-44481 (RDD) |
| | : | |
| Debtors. | : | (Jointly Administered) |
| | : | |
| -----X | | |

NOTICE OF OBJECTION TO CLAIM

Deborah Chapman:

DPH Holdings Corp. Corporation and certain of its affiliated reorganized debtors and in the above-captioned cases (collectively, the "Reorganized Debtors") are sending you this notice. According to the Reorganized Debtors' records, you filed one or more proofs of administrative expense in the Debtors' reorganization cases. Based upon the Reorganized Debtors' review of your proof or proofs of administrative expense, the Reorganized Debtors have determined that one or more of your claims for an administrative expense under section 503(b)(1) of the Bankruptcy Code (each, an "Administrative Claim") identified in the table below should be disallowed and expunged as summarized in the table below and described in more detail in the Reorganized Debtors' Thirty-Seventh Omnibus Objection Pursuant To 11 U.S.C. § 503(b) And Fed. R. Bankr. P. 3007 To Expunge Certain (I) Prepetition Claims, (II) Equity Interests, (III) Books And Records Claims, (IV) Untimely Claims, (V) Paid Severance Claims, (VI) Pension, Benefit, And OPEB Claims, And (VII) Duplicate Claims (the "Thirty-Seventh Omnibus Claims Objection"), dated October 15, 2009, a copy of which is enclosed (without exhibits). The Reorganized Debtors' Thirty-Seventh Omnibus Claims Objection is set for hearing on November 18, 2009 at 10:00 a.m. (prevailing Eastern time) before the Honorable Robert D. Drain, United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), One Bowling Green, Room 610, New York, New York 10004. AS FURTHER DESCRIBED IN THE ENCLOSED THIRTY-SEVENTH OMNIBUS CLAIMS OBJECTION AND BELOW, THE DEADLINE FOR YOU TO RESPOND TO THE REORGANIZED DEBTORS' OBJECTION TO YOUR CLAIM(S) IS 4:00 P.M. (PREVAILING EASTERN TIME) ON NOVEMBER 11, 2009. IF YOU DO NOT RESPOND TIMELY IN THE MANNER DESCRIBED BELOW, THE ORDER GRANTING THE RELIEF REQUESTED MAY BE ENTERED WITHOUT ANY FURTHER NOTICE TO YOU OTHER THAN NOTICE OF ENTRY OF AN ORDER.

The enclosed Thirty-Seventh Omnibus Claims Objection identifies seven different categories of objections. The category of claim objection applicable to you is identified in the table below in the column entitled "Basis For Objection":

Claims identified as having a Basis for Objection of "Prepetition Claims" are claims that arose prior to the date upon which the Reorganized Debtors filed voluntary petitions for reorganization relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1330, as then amended.

Claims identified as having a Basis for Objection of "Equity Interests" are claims filed by a holder of Delphi common stock solely on account of their stock holdings.

Claims identified as having a Basis for Objection of "Books And Records Claims" asserts liabilities and dollar amounts that are not owing pursuant the Debtors' books and records.

Claims identified as having a Basis For Objection of "Untimely Claims" are Claims that were not timely filed pursuant to Article 10.2 of the First Amended Joint Plan Of Reorganization Of Delphi Corporation And Certain Affiliates, Debtors And Debtors-In-Possession, As Modified and paragraph 8 of the Order (A)(I) Approving Modifications To Debtors' First Amended Plan Of Reorganization (As Modified) And Related Disclosures And Voting Procedures And (II) Setting Final Hearing Date To Consider Modifications To Confirmed First Amended Plan Of Reorganization And (B) Setting Administrative Expense Claims Bar Date And Alternative Transaction Hearing Date, entered June 16, 2009 (Docket No. 17032).

Claims identified as having a Basis for Objection of "Paid Severance Claims" are Claims that the Reorganized Debtors have already satisfied in full.

Claims identified as having a Basis for Objection of "Pension, Benefit, And OPEB Claims" are those Claims for which the Reorganized Debtors are not liable.

Claims identified as having a Basis For Objection of "Duplicative Claims" are duplicative of other Claims.

| Date Filed | Claim Number | Asserted Claim Amount¹ | Basis For Objection | Treatment Of Claim | Surviving Claim Number (if any) |
|-------------------|---------------------|--|----------------------------|---------------------------|--|
| 07/16/09 | 19284 | \$6,189.12 | Untimely Claims | Disallow And Expunge | |

If you wish to view the complete exhibits to the Thirty-Seventh Omnibus Claims Objection, you can do so at www.dphholdingsdocket.com. If you have any questions about this notice or the Thirty-Seventh Omnibus Claims Objection to your Claim, please contact the Reorganized Debtors' counsel by e-mail at dphholdings@skadden.com, by telephone at 1-800-718-5305, or in writing at Skadden, Arps, Slate, Meagher & Flom LLP, 155 North Wacker Drive, Chicago, Illinois 60606 (Att'n: John Wm. Butler, Jr., John K. Lyons, and Joseph N. Wharton). Questions regarding the amount of a Claim or the filing of a

¹ Asserted Claim Amounts listed as \$0.00 generally reflect that the claim amount asserted is unliquidated.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|-----------------------------------|---|-------------------------|
| In re | : | Chapter 11 |
| DELPHI CORPORATION, <u>et al.</u> | : | Case No. 05-44481 (RDD) |
| Debtors. | : | (Jointly Administered) |

NOTICE OF OBJECTION TO CLAIM

Chapman Deborah:

Delphi Corporation and certain of its subsidiaries and affiliates, debtors and debtors-in-possession in the above-captioned cases (collectively, the "Debtors"), are sending you this notice. According to the Debtors' records, you filed one or more proofs of claim in the Debtors' reorganization cases. Based upon the Debtors' review of your proof or proofs of claim or scheduled liability, the Debtors have determined that one or more of your "Claims," as such term is defined in 11 U.S.C. § 101(5), identified in the table below should be disallowed and expunged, or modified and allowed as summarized in the table and described in more detail in the Debtors' Thirty-Fourth Omnibus Objection Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 3007 To (I) Expunge (A) Certain Pension And OPEB Claims, (B) Certain Individual Workers' Compensation Claims, (C) Certain Duplicate And/Or Amended Individual Workers' Compensation Claims, (D) Certain Untimely Individual Workers' Compensation Claims, (E) A Secured Books And Records Claim, And (F) Certain Untimely Claims, (II) Modify Certain (A) Wage And Benefit Claims, (B) State Workers' Compensation Claims, And (C) Individual Workers' Compensation Claims Asserting Priority, (III) Provisionally Disallow Certain Union Claims, And (IV) Modify And Allow Certain Settled Claims (the "Thirty-Fourth Omnibus Claims Objection"), dated December June 22, 2009, a copy of which is enclosed (without exhibits). The Debtors' Thirty-Forth Omnibus Claims Objection is set for hearing on July 23, 2009 at 10:00 a.m. (prevailing Eastern time) before the Honorable Robert D. Drain, United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), One Bowling Green, Room 610, New York, New York 10004. AS FURTHER DESCRIBED IN THE ENCLOSED THIRTY-FOURTH OMNIBUS CLAIMS OBJECTION AND BELOW, THE DEADLINE FOR YOU TO RESPOND TO THE DEBTORS' OBJECTION TO YOUR CLAIM(S) IS 4:00 P.M. (PREVAILING EASTERN TIME) ON JULY 16, 2009. IF YOU DO NOT RESPOND TIMELY IN THE MANNER DESCRIBED BELOW, THE ORDER GRANTING THE RELIEF REQUESTED MAY BE ENTERED WITHOUT ANY FURTHER NOTICE TO YOU OTHER THAN NOTICE OF ENTRY OF AN ORDER.

The enclosed Thirty-Fourth Omnibus Claims Objection identifies four different categories of objections. The category of claim objection applicable to you is identified in the table below in the column entitled "Basis For Objection":

United States Bankruptcy Court

Southern District of New York

Delphi Corporation et al. Claims Processing
c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue
El Segundo, California 90245

Pg 5 of **Administrative
Expense Claim
Form**

Debtor against which claim is asserted:
Delphi Corporation, et al. 05-44481

Case Name and Number
In re Delphi Corporation, et al. 05-44481
Chapter 11, Jointly Administered

NOTE: This form should not be used to make a claim in connection with a request for payment for goods or services provided to the Debtors prior to the commencement of the case. This Administrative Expense Claim Form is to be used solely in connection with a request for payment of an administrative expense arising after commencement of the case but prior to June 1, 2009, pursuant to 11 U.S.C. § 503.

Name of Creditor
(The person or other entity to whom the debtor owes money or property)

Deborah Chapman

Name and Address Where Notices Should be Sent

Deborah Chapman
52412 Belle Arbor
Shelby, Michigan 48316
Telephone No. *(586) 997-3284*

- ☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
- ☐ Check box if you have never received any notices from the bankruptcy court in this case.
- ☐ Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR
COURT USE ONLY

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES
DEBTOR:

Check here if this claim ☒ replaces
☐ amends a previously filed claim, dated: *7/6/06*

1. BASIS FOR CLAIM

- ☐ Goods sold
- ☐ Services performed
- ☐ Money loaned
- ☐ Personal injury/wrongful death
- ☐ Taxes
- ☐ Other (Describe briefly)

☒

Retiree benefits as defined in 11 U.S.C. § 1114(a)
Wages, salaries, and compensation (Fill out below)
Your social security number _____
Unpaid compensation for services performed
from _____ (date) to _____ (date)

2. DATE DEBT WAS INCURRED

5/13/06

3. IF COURT JUDGMENT, DATE OBTAINED:

4. TOTAL AMOUNT OF ADMINISTRATIVE CLAIM: \$ *6189.12*

☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

5. Brief Description of Claim (attach any additional information):

Stock to Savings Purchase Program (retiree benefit program):
Total loss of 401K program company stock value due to
forced sale of stock during bankruptcy period.

THIS SPACE IS FOR
COURT USE ONLY

6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to debtor.

7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. Any attachment must be 8-1/2" by 11".

8. DATE-STAMPED COPY: To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

Date

7/12/09

Sign and print the name and title, if any, of the creditor or other person
authorized to file this claim (attach copy of power of attorney, if any)

Deborah Chapman *Deborah Chapman*